

Application No.: 10/695,806

structure" or "relative to a fixed position" as recited in independent claims 1, 17 and 27. In particular, Liang et al. describe that a sensor 40 is mounted under a test bed 56, which is supported by rubber isolators 56 (*see* Liang et al. at FIG. 2 and col. 3, lines 24-32). Liang et al. do not measure movement "relative to a stationary structure" (or "relative to a fixed position") as required by the claims because the sensor 40 is either attached directly to the engine or attached to the test bed 56 on which the engine is mounted. The test bed structure is isolated from the fixed position of the test stand 55. Also, similar to Liang et al., in DeBotton et al. the sensor 40 is attached directly to the engine for detecting a vibration waveform (*see* DeBotton et al. at paragraph 116). DeBotton et al. do not describe or suggest detecting displacements relative to a stationary structure.

Therefore, regardless of whether one skilled in the art would have been motivated to combine these references, the proposed combination does not teach or suggest each of the required claim elements. Neither DeBotton et al. nor Liang et al. (considered alone or in combination) teaches or suggests all the required elements of independent claims 1, 17 and 27 as well as of claims 3-6, 9-16, 18 and 20-25 which depend therefrom. Reconsideration and withdrawal of the rejection are therefore respectfully requested.

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Allowable Subject Matter

Applicants acknowledge with appreciation that Examiner's indication that claims 2, 7, 19 and 26 include allowable subject matter. These claims, however, were objected to as dependent on rejected base claims. The base claims should now be considered allowable for the reasons described above. Reconsideration and withdrawal of the objection are therefore respectfully requested.

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Conclusion

Accordingly, it is believed that all pending claims are now in condition for allowance. Applicants therefore respectfully request an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicants' representative at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



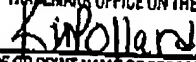
Richard E. Brown
Registration No. 47,453


600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 REB:llg
Facsimile: 202.756.8087
Date: June 1, 2005

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